APPENDIX A — ORDER OF THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT DENYING PETITION FOR REHEARING DATED AND FILED SEPTEMBER 5, 2002

UNITED STATES COURT OF APPEALS
For The District of Columbia Circuit

No. 01-7179

Clementine Artis-James,

Appellant

v.

District of Columbia,
A Municipal Corporation,

Appellee

BEFORE: Sentelle, Rogers and Tatel, Circuit Judges

ORDER

Upon consideration of appellant's petition for rehearing filed August 7, 2002, it is

ORDERED that the petition be denied.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY:
Michael C. McGrail
Deputy Clerk

APPENDIX B — ORDER OF THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT DATED AND FILED JULY 8, 2002

UNITED STATES COURT OF APPEALS
For The District of Columbia Circuit

September Term, 2001
99cv03383

Filed On: July 8, 2002

No. 01-7179

Clementine Artis-James,

Appellant

v.

District of Columbia,
A Municipal Corporation,

Appellee

BEFORE: Sentelle, Rogers, and Tatel, Circuit Judges

ORDER

Upon consideration of the motion to dismiss, or, in the alternative, for summary affirmance, and the opposition thereto, it is

ORDERED that the motion to dismiss be denied. The record indicates that appellant submitted her notice of appeal to the district court for filing on October 25, 2001, within the time to file an appeal. *See* Fed. R. App. P. 4(a)(1)(A). It is

Appendix B

FURTHER ORDERED that the motion for summary affirmance be granted. The merits of the parties' positions are so clear as to warrant summary action. *See Taxpayers Watchdog, Inc. v. Stanley*, 819 F.2d 294, 297 (D.C. Cir. 1987) (per curiam); *Walker v. Washington*, 627 F.2d 541, 545 (D.C. Cir. 1980) (per curiam). The district court properly held that appellant failed to establish that appellee's proffered explanation for discharging her — that is, because she failed to submit documentation required by a competitive level determination form — was a pretext for disability discrimination. *See Aka v. Washington Hosp. Ctr.*, 156 F.3d 1284, 1288-89 (D.C. Cir. 1998) (*en banc*).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. *See* Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

APPENDIX C — ORDER OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA DATED AND FILED SEPTEMBER 21, 2001

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

C.A. No. 99-3383 (TPJ)

CLEMENTINE ARTIS-JAMES,

Plaintiff,

v.

DISTRICT OF COLUMBIA,

Defendant.

ORDER

Upon consideration of defendant's motion for summary judgment and supporting exhibits, plaintiff's opposition thereto, and the proceedings thereon of September 21, 2001, for essentially the reasons advanced by the defendant, *see* Fed. R. Civ. P. 52(a), it is, this 21st day of September, 2001,

ORDERED, that defendant's motion for summary judgement is granted, and the Clerk of Court is directed to confer judgment for defendant forthwith dismissing the complaint with prejudice.

s/ Thomas Penfield Jackson
Thomas Penfield Jackson
U.S. District Judge